

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MONTE HERRING,

Petitioner,

v.

SUPERINTENDENT,

Respondent.
-----X

BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

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DATE FILED 12/29/10

09 Cv. 7610 (BSJ) (JCF)

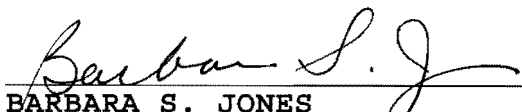
Order

After having reviewed Magistrate Judge Francis's Report and Recommendation dated December 2, 2010, and having received no objections thereto, I hereby confirm and adopt the Report in its entirety, having been satisfied that there is no clear error on the face of the record. See King v. Greiner, No. 02 Civ. 5810 (DLC), 2009 WL 2001439, at *4 (S.D.N.Y. July 8, 2009) (citation omitted); see also Wilds v. United Parcel Serv., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003). Accordingly, Respondent's motion to dismiss the Petition with prejudice is granted.

The parties' failure to file written objections precludes appellate review of this decision. See Caidor v. Onondaga County, 517 F.3d 601, 604 (2d Cir. 2008).

The Clerk of the Court is directed to close the case.

SO ORDERED:


BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
December 29, 2010